

State law subsequently passed to regulate rights and remedies for death by negligence can have no operation over the tract save as it may be adopted by Congress. And, in what appears to be the most recent expression on the subject by the Supreme Court of the United States,¹³ Justice Roberts, speaking for the Court, held that an act of the State of California prescribing a minimum sale price for milk sold within the State was not effective within the boundaries of Moffett Field, exclusive jurisdiction over which had been ceded to the United States prior to the enactment of the act. Since laws of a State enacted after cession of territory to the United States have no effect within the ceded area, it follows that the repeal of a State statute existing at the time of the cession is ineffective within such area.¹⁴

Notwithstanding pronouncements by the Supreme Court of the United States that a State divests itself of all legislative authority within a territory over which it has ceded exclusive jurisdiction to the United States, many State courts have recognized as effective within ceded areas State laws enacted after the cession which relate to matters with respect to which the courts of the United States are not authorized to exercise jurisdiction, such as, for instance, laws affecting divorces,¹⁵ administration of estates,¹⁶ the custody and guardianship of children.¹⁷

65. Political laws of ceding State superseded by Federal law or policy.—As pointed out above, only those laws of the ceding State which pertain to private justice and which are necessary to the peace and good order of the community remain in effect within the ceded area after transfer of the territory to the new sovereign. Complete political dominion becomes vested in the new government, and, therefore, all laws of a political character within the ceded area are superseded by the law or policy of the new sovereign.¹⁸ It follows that persons residing within lands over which the United States has acquired exclusive jurisdiction do not enjoy any political privileges of the ceding State and are not subject to any political burdens which it may impose.¹⁹ Such residents are not entitled to the benefits of the public schools²⁰ of the ceding State nor are they qualified to vote as citizens of that State.²¹

¹³ *Pacific Coast Dairy, Inc. v. Dept. of Agri. of California*, 318 U. S. 285.

¹⁴ *McCarthy v. R. G. Packard Co.*, 94 N. Y. S. 203, 105 App. Div. 436.

¹⁵ *Craig v. Craig*, 143 Kan. 624; 56 P. (2) 464.

¹⁶ *Divine v. Unaka Natl. Bank*, 125 Tenn. 98; 140 S. W. 747.

¹⁷ *In re Kernan*, 288 N. Y. S. 329.

¹⁸ *Chicago & Pacific R. R. Co. v. McGlinn*, 114 U. S. 542, 5 S. Ct. 1005.

¹⁹ 6 Atty. Gen. 577.

²⁰ *In re* Opinions of Justices Supreme Court (Mass.) 1 Metcalf 580, 584.

²¹ *Sinks v. Reese*, 19 Ohio St. Rep. 306; *McMahon v. Polk*, 10 S. D. 296; 73 N. W. 77; *State v. Willett*, 117 Tenn. 334; 97 S. W. 299; *Commonwealth v. Clary*, 8 Mass. 72; *In re* Opinion Justices Supreme Court (Mass.) 1 Metcalf 580, 584; *Herken v. Glynn*, 151 Kans. 855, 101 P. (2) 946. But see *State v. Corcoran*, 128 P. (2) 999, holding persons residing in Defense Housing Projects constructed under Lanham Act may vote in state elections.